



**8 FRAUD & ABUSE - PARTICIPANTS**  
**8.4 Suspension**

***Effective: 3/1/98***

**POLICY:** Fraud and/or abuse of the WIC Program may result in suspension from the Program.

**PROCEDURE:**

**A. WHO IS SUSPENDED**

1. Fraud/Abuse by woman participant. If the woman participant (pregnant, postpartum, or breastfeeding) has committed an act of fraud or abuse, the woman is suspended. Other family members may remain on the program; see 2. below.
2. Fraud/Abuse by parent or proxy
  - a) At the discretion of the Local Agency, the woman, infant or child participant may be kept on the program if an alternate parent, guardian or authorized proxy is available and the Local Agency believes that no further abuse will occur.
    - (1) The parent, proxy or guardian is suspended as an authorized proxy.
    - (2) The infants and children participants remain on the Program.
    - (3) See sample Proxy Suspension Letter in Policy 8.6 Notification of Actions.
  - b) If no alternate can be found or if there is reason to believe that the abuse will continue, participation in the program should be suspended for all family members.
3. False Information: If the applicant intentionally provided false statements, concealed or misrepresented facts, gave information which misrepresents true circumstances or failed to give information about changes in true circumstances resulting in fraudulent receipt of WIC benefits, all family members should be suspended.

**B. Length of Suspension**

The length of suspension should be based on what the Local Agency staff determines to be the strength or adequacy of the documented evidence supporting the allegation.



1. Abuse generally suggests a warning letter, and/or a one or two month suspension.
2. Fraud is considered more serious than abuse and generally suggests a three month suspension period.
3. See table for Fraud and Abuse and suggested sanction; Policy 8.2 Participant Fraud and Abuse.

**C. REINSTATEMENT**

The maximum suspension period is three months, after which the participant may request to be reinstated.

1. Terminated participants may be reinstated after serving the suspension period, as long as repayment conditions have been met; see Policy 8.5 Repayment. If repayment stops before fully paid, the participant/family shall be terminated.
2. If the person's certification period is still valid, he or she must be reinstated. If the person was suspended for providing false information which resulted in an unwarranted eligibility determination, automatic reinstatement would not be possible because the certification was never valid. In this case, the person would have to reapply and have a valid eligibility determined.
3. The woman participant may be reinstated only after the suspension period has been served and repayment has been fully made.
4. A proxy or parent/guardian may be reinstated as a proxy only after repayment has been fully made, and there is reason to believe that fraud and abuse will not reoccur. Projects are not required to reinstate a proxy.